ENERGY, MINES AND RESOURCES (EMR) ASSESSMENT – REGULATORY GUIDE:

A guide to explain how EMR's regulatory regime works with the assessment process under the *Yukon Environmental and Socio-economic Assessment Act* (YESAA)

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NOTICE

This guide presents information about the YESAA assessment process and EMR's regulatory processes in a plain language format for the purpose of public education and assistance. For a full understanding of the legal requirements of the assessment and regulatory processes for individual projects, please consult the *Yukon Environmental and Socio-economic Assessment Act,* its regulations and rules as well as relevant legislation which pertains to the activity to be undertaken.

INTRODUCTION

Anyone wishing to undertake an activity or a project which uses or affects land, water or other natural resources in the Yukon is likely to require a government permit or license and, in many cases, an environmental and socio-economic effects assessment of the activity. The requirement for permits or licenses is part of the regulatory regime and is the responsibility of government. The requirement for an environmental and socio-economic effects assessment is part of the development assessment process which is undertaken by assessors independent of government.

The majority of these permits or licenses are issued by the Yukon government, particularly the Department of Energy, Mines and Resources. Some permits or licenses are issued by the federal government and self-governing First Nations, depending on the location and nature of the activity or project. Although the regulatory and development assessment regimes are somewhat integrated, they are distinct processes.

Development Assessment in the Yukon

YESAA stands for the *Yukon Environmental and Socio-economic Assessment Act,* new federal legislation which is now fully in effect in the Yukon. YESAA creates a new development assessment process for the Yukon. It has replaced the Yukon *Environmental Assessment Act* and the *Canadian Environmental Assessment Act.*

The new legislation provides for a single environmental and socio-economic assessment process for projects under federal, territorial or First Nation jurisdiction. This assessment is part of the overall review and approval process that will apply to development activities such as mining, oil and gas exploration, agriculture, timber cutting and road building.

The Assessors

Assessments formerly undertaken by the Yukon government are now conducted by the arms-length Yukon Environmental and Socio-economic Assessment Board (YESAB) or one of its six Designated Offices located throughout the Yukon. These YESAA assessors must conduct their assessments within specific time lines. As part of the assessment, they seek input from government and First Nations and provide opportunities for the public to provide comments on proposed projects. The assessment process basically consists of identifying the environmental and socio-economic effects of a project and appropriate mitigation before providing a recommendation to the Decision Body (government) on whether a project should proceed. The YESAB has an on-line public registry that is accessible to anyone who has access to a computer with a connection to the internet. This registry contains all information related to YESAA assessments. To access the registry, visit: www.yesab.ca. A complete hard copy document registry is also maintained in Whitehorse and is accessible to the public.

Government's role

Once the Yukon government reviews the recommendations from the assessor, it will then decide whether to accept, reject or vary the assessment recommendation and state this decision in a Decision Document. The Yukon government continues to be the decision maker and to be responsible for regulating and enforcing permits and licenses for development projects which fall under its legislated authority.

HOW TO USE THIS GUIDE

This guide was prepared by the Yukon government's Department of Energy, Mines and Resources (EMR) to assist proponents and the public in understanding how EMR's processes for regulating the use of natural resources in the Yukon relate to the development assessment process under YESAA. It is not meant to be an exhaustive account of all steps in the process but it provides a simplified overview of how the regulatory processes for land based activities in the agriculture, forestry, lands, minerals and oil and gas sectors are integrated with the YESAA process.

The first part consists of "Frequently Asked Questions," starting with general and ending with resource sector specific questions. The second part outlines the overall regulatory and assessment steps (indicated both in a list and on a flowchart) for each of EMR's regulated sectors (agriculture, forestry, lands, minerals and oil and gas).

In simple terms, the regulatory process is led by the regulator and generally begins with an application phase where the proponent applies for a permit or license to undertake a regulated activity. The regulator then reviews the application to see whether it is complete and meets certain regulatory requirements. The regulatory phase ends with the regulator either issuing the proponent a permit or license or rejecting the proponent's application. Steps on the left side of the flowcharts are part of the regulatory process.

The development assessment process is undertaken by the YESAA assessors. The assessment process begins with an application phase where the proponent applies for an assessment of a proposed activity or project. The assessor, with input from government and the public, undertakes an assessment of the project and issues an assessment report which includes a recommendation on whether the project should proceed and if so, with certain terms and conditions. The assessment phase ends with the Decision Body (government) deciding whether to accept, reject or vary the assessor's recommendation. Steps on the right side of the flowcharts denote the assessment process.

Although these two processes are subject to different legislation and are administered by separate bodies, they are combined in this document to provide the reader with an overall sense of how a project would proceed from beginning to end.

To determine your regulatory requirements, please talk with your government regulator before submitting your project proposal to the YESAA assessor. For all assessment-related questions, contact the YESAB or the Designated Office near you. Refer to pages 30-31 for contact information. Key YESAA references are also provided at the end of the document.

FREQUENTLY ASKED QUESTIONS

GENERAL QUESTIONS

New Assessment Process

1. What's changed now that YESAA is in effect?
   - Assessments are undertaken by independent entities (YESAB and its Designated Offices) rather than government agencies.
   - The activities which were subject to environmental assessment before and a few additional activities are subject to assessment under YESAA.
   - Assessments under YESAA address socioeconomic as well as environmental effects.
   - Assessments under YESAA provide for the guaranteed participation of First Nations.
   - YESAA provides a single assessment process that applies to the entire Yukon and to all governments, regardless of their jurisdiction.
   - YESAA provides for timelines for various stages of the assessment process, including the decision stage.
   - Some projects will take longer to assess than before whereas others will take less time.
   - Assessments will be more transparent and will include written reasons for actions and decisions.
   - The majority of assessments will be undertaken in six Designated Offices located in Dawson, Haines Junction, Mayo, Teslin, Watson Lake and Whitehorse.
   - An online registry is the main tool used to disseminate information and receive input on project assessments.
   - The type of activities which require an assessment are listed in a single regulation (the *"Assessable Activities, Exceptions and Executive Committee Projects Regulations"*) rather than three regulations, which was the case under each the federal *Canadian Environmental Assessment Act* and the territorial *Environmental Assessment Act.*

Activities Requiring Assessment

2. Does my proposed activity require an assessment?

   That depends on whether the activity you are proposing is included and not exempt under YESAA and its "Assessable Activities Regulation".

   Yukon government's Department of Energy, Mines and Resources (EMR) can help you determine whether your proposed project requires an assessment under YESAA.

3. Who determines whether my proposed activity requires an assessment?

   The government which has authority over your proposed activity will determine whether the activity requires an assessment.

   Contact EMR to see whether your activity is subject to assessment.

4. Do I need an assessment each time I apply for a permit for my project?

   Not necessarily. If your activity already had a YESAA assessment and all you need is an additional permit or license, then you do not require another assessment.

   Contact EMR to see whether an assessment is required before your permit can be issued.

Entry point

5. Where do I go first?

   You should go to EMR first to fill out a permit or license application. Staff will discuss your application with you and let you know if you need to apply for an assessment under YESAA. If an assessment is required, you will then need to apply to the appropriate YESAA assessor. Refer to the section below *(Assessment Application Process)* for more information.

Assessment Application Process

6. Is there a separate YESAA assessment application form?

   Yes, for the majority of projects, i.e. for projects assessed by a Designated Office, the application form is called "Form 1". You can view, download and fill out Form 1 online at www.yesab.ca, contact the YESAB office or any of EMR's branches to get a copy.

   There is a different application format for larger projects which are assessed by the Executive Committee of the YESAB. Proponents of such projects can contact the YESAB in Whitehorse for more information on the assessment process, information requirements, and application process for such projects.

7. How do I get help to fill out the application form?

   To help you fill out the application form, contact the assessment staff directly at the YESAB or a local Designated Office and refer to the "Proponents Guide to Project Proposal Submission." This guide is available at the YESAB office or any Designated Office or online at www.yesab.ca.

8. Can EMR submit my assessment application?

   No, you have to submit your YESAA application form to the appropriate YESAA assessor: this would be the local Designated Office for most projects. The YESAA assessor can assist you in completing the form.

9. Is there a fee to go through the development assessment process?

   No.

The Assessment

10. Who conducts the YESAA assessment?

    In most cases, the assessment will be undertaken and completed by staff in the Designated Office responsible for conducting assessments in the district where your proposed project is located. There are six Designated Offices located throughout the Yukon. For major projects, the assessment will be undertaken by the YESAB in Whitehorse.

11. How do I keep track of projects that are being assessed?

    The YESAB Online Registry is the main tool used by proponents, First Nations, Decision Bodies, regulators and members of the public to participate in the assessment process. It is also designed so that the public can become aware of new assessments and track project proposals through the assessment process. It is accessible via the YESAB website at www.yesab.ca.

12. If I have an interest in the assessment, how do I submit my comments?

    Written submissions are the primary way to provide comments and views to an assessment. Written submissions can be posted to the YESAB Online Registry or delivered by hand, mail, fax or electronic communication to the appropriate Designated Office or the YESAB office in Whitehorse.

    Depending on the nature of the project, its potential for significant environmental and socio-economic effects, and/or public interest, the YESAB or its Designated Offices may conduct public meetings or hearings to provide an opportunity for interested persons to participate to an even greater extent in the assessment. Opportunities such as these would be in addition to the opportunities to participate in assessments which are available (i.e. telephone, written, in person submission of views or information on a project).

13. What is meant by conducting a socio-economic effects assessment of my project?

    Socio-economic effects assessment is an assessment that looks at the potential effects that a proposed activity may have on the economy, health, culture, traditions and lifestyles of Yukoners and on heritage resources. It then considers measures that could be used to eliminate or reduce any identified negative effects on people and communities. The YESAB is finalizing a guidebook for assessors and proponents on socio-economic effects assessments. The Guide to Designated Office Evaluations and Form 1 also provides information in this regard.

14. Can I find out what people are saying about my project?

    Yes. You can sign onto the YESAB Online Registry or access the hard copy document registry and view all input which has been submitted during the assessment of your project.

Questions on the assessment process should be directed to the YESAB or the appropriate Designated Office.

Regulatory Process

15. When can I apply for my permit?

    For most permits issued by EMR, you should apply for your permit or license before applying for an assessment under YESAA.

16. Do I still have to pay a fee for my permit?

    Yes, fees for regulatory permits and licenses remain the same.

17. What happens to the regulatory process during the assessment?

    Most of the regulatory processes within EMR can and will happen concurrently with the assessment process, as long as no permit or license is issued before the assessment is completed and the Yukon government has issued its Decision Document for the project.

18. How will the Yukon Water Board process work with YESAA?

    The Water Board will continue to perform its regulatory role and process as per the *Waters Act*. Assessments will be done by the appropriate YESAA assessor. The Water Board cannot issue a water license until a Decision Document for a project has been issued. However, components of the licensing process may be initiated prior to a Decision Document being issued. The Yukon government is working collaboratively with the Yukon Water Board and the YESAB to improve the coordination and streamlining of the YESAA and water licensing processes.

19. When do I get my license or permit?

    Once the Yukon government determines in its Decision Document, that the project may proceed, the permit or license may be issued shortly thereafter.

Questions on the regulatory process should be directed to the relevant government regulator.

Timelines

20. How long will a YESAA assessment take?

    For projects assessed by a Designated Office, timelines will generally be up to 42 days (or less) and not greater than 103 days; this is followed by up to 30 days for a government decision.

    For projects assessed by the Executive Committee of the YESAB, timelines would generally be up to a year (or less) and not greater than 2.3 years (858 days), plus up to 60 days for a government decision.

    Timelines may be extended by the assessor under certain circumstances.

    For more specific information on assessment timelines, refer to the YESAA website (www.yesab.ca) and follow the links to the Rules. Process flowcharts are available there to outline the assessment process steps and timelines.

21. Who can ask for an extension of the assessment timelines?

    Anyone participating in the assessment process may ask for more time, but the decision to extend an assessment timeline is made by the assessor. The timelines for government to make its decision cannot be extended.

22. Why would the assessor extend the assessment timelines?

    Assessment timelines might be extended if the assessment or project is complex, information is missing, there is significant public interest or if government or the public needs more time to provide input.

23. What happens to regulatory timelines under YESAA?

    EMR's two regulatory timelines (under *Land Use Regulations* and Mining Land Use Regulations) remain unchanged. Refer to questions under "Minerals" (on page 10-11) for more information on recent amendments to Mining Land Use Regulations.

24. How long is the process from the time I submit my regulatory application to when I receive my permit/license?

    That entire process would be the total of the assessment timelines listed above plus the time required to draw up and issue the permit or license (this will vary depending on the permit or license applied for). For some projects, the overall timing will be longer than it was before YESAA; for other projects, the timing will be shorter. Proponents are encouraged to plan ahead and submit their applications early to ensure that their project can be approved in time to allow them to undertake their project in the desired timeframe, particularly for proposals with seasonal constraints.

Questions on assessment timelines should be directed to the YESAB or the appropriate Designated Office.

Assessment Decision Making

25. Who is the Decision Body?

    The Decision Body is the government with responsibility for the project either as a regulator, land authority, a funder or the proponent. A Decision Body can be the Yukon government, a federal government agency or a First Nation government and will vary for each project, depending on the required authorizations and location of the project. The Decision Body is responsible for responding to the assessor's recommendation by issuing a Decision Document.

26. What is a delegated Decision Body?

    Under YESAA, the Yukon government acts as a single Decision Body. This will be achieved through an internal well coordinated process involving all Yukon government departments. The Decision Body responsibility has been delegated to specific departments and branches within the Yukon government, depending on the type of project.

27. How does the Yukon government decide who has the responsibility to make the decision on the project?

    In general, the department or branch with the overall authority for the principal project is given this responsibility. For EMR, this means that agriculture projects will be delegated to the Agriculture Branch, forestry projects to the Forest Resources Branch, mineral projects to the Mineral Resources Branch and oil and gas projects to the Oil and Gas Management Branch.

Questions on the decision phase of the assessment process should be directed to the appropriate Decision Body.

Assessment – Regulatory Integration

28. How are the assessment and regulatory processes being integrated: are they integrated or sequential?

    The assessment and regulatory processes are integrated to the extent possible. The Yukon government cannot issue an authorization for a project until it has issued a Decision Document. However, in EMR, the regulatory process is usually initiated prior to the assessment process and continues while the assessment is being conducted. Once the proponent contacts the regulator and fills out the required regulatory application, he/she may proceed to the assessment process. Once the assessment is completed and government has issued a Decision Document, the required permits can usually be issued shortly thereafter. EMR's goal is to issue permits within days rather than utilizing the full timelines provided in regulations. This overall integration is illustrated in the overall process flowcharts on pages 13-29 showing the regulatory steps on the left and the assessment steps on the right.

RESOURCE SECTOR SPECIFIC QUESTIONS

Agriculture

1. What types of agriculture projects are subject to assessment?

   - Applications for acquiring agricultural land (building structures, clearing land)
   - Irrigation projects
   - Some grazing leases: those which involve activities listed on the YESAA "Assessable Activities Regulation" (e.g. building a fence or some other large structure or building an access road)

   Contact the Agriculture Branch to find out if your particular agricultural activity is subject to assessment under YESAA.

2. What happens to LARC?

   Refer to "Lands" section below.

Forestry

1. What type of forestry projects are subject to assessment?

   - Cutting trees or removing fallen or cut trees at a volume of more than 1000 cubic meters
   - Any activity which requires a Yukon government Land Use Permit (e.g. medium to large camps, off road use of heavy equipment, road building, etc.)
   - Burning forest debris that has been mechanically piled, during fire season

   Contact the Forest Management Branch to find out if your particular forestry activity is subject to assessment under YESAA.

2. What do I have to do and who do I have to talk to in order to get a timber permit?

   The first thing you should do is contact EMR's Forest Management Branch to find out what its requirements are. Branch staff will determine your regulatory requirements and whether your proposed activity requires an assessment under YESAA. The branch will explain the various steps in the process and provide you with the application forms you will need to obtain a timber permit and a YESAA assessment, if one is required.

Lands

1. What type of "lands" projects will require a YESAA assessment?

   - Any activity which requires a Yukon government Land Use Permit (most activities on Yukon land)
   - Building a road
   - Building a structure for the purpose of recreation (commercial or public), tourist accommodation, telecommunications, trapping or game outfitting which require some form of land disposition
   - Most industrial activities which would require some form of land disposition (e.g. an explosives factory, a smelter, a sawmill, a food or beverage processing facility of a certain size).

   Contact the Lands Branch to find out if your lands application is subject to assessment under YESAA.

2. What happens to LARC?

   LARC, or the Lands Application Review Committee, no longer exists. Land applications which require an assessment under YESAA will be assessed by a YESAA assessor. Stakeholders will be able to provide their input directly to the assessment process. Land applications which are not subject to a YESAA assessment will go through an internal EMR review process prior to a decision being made by EMR's Lands Branch.

Minerals

1. What types of mining projects are subject to assessment under YESAA?

   - Class 2, 3 and 4 mineral exploration activities (placer and quartz), as classified under the Mining Land Use Regulations; Class 1 is exempt
   - All mines (placer and quartz)

   Contact your local Mining Lands District Office to find out if your mining project is subject to assessment under YESAA.

2. Will mineral staking have to be assessed?

   No, the staking of mineral claims is exempt from assessment under YESAA.

3. How will YESAA work with Mining Land Use Class 2 notifications?

   The proponent will apply to the appropriate Designated Office which will assess the proposal and provide a recommendation to EMR's Mineral Resources Branch. The branch will then issue a Decision Document on the project proposal. After receiving a copy of the Decision Document, the proponent will submit (to the appropriate Mining Lands district office) a Class 2 notification which conforms to the contents of the Decision Document. This triggers the regulatory process and the Chief of Mining Land Use will advise the proponent of the acceptance of the notification within the regulated 25 day timeline.

4. How will Class 4 placer projects be dealt with?

   Class 4 placer activities continue to require an assessment, which is now done under YESAA. The regulatory process remains the same with an integrated application through the Yukon Water Board. As with other authorizations, the water license cannot be issued until after the Decision Document has been issued.

5. What are the changes to the Mining Land Use Regulations?

   Under the revised regulation, Class 2 activities now require an assessment under YESAA prior to the proponent applying to the regulator for a notification. There are also new activity thresholds and new operating conditions which apply to all four classes of activities which make the standards clearer.

   The new class criteria thresholds allow for more people in an exploration camp than before and, in some cases, allow people to move sampling equipment from one spot to another on claims. Individuals working on a mineral claim will require government approvals to build access roads.

There are also clearer operating conditions for the removal and re-establishment of vegetative mat, erosion control, permafrost, trenching, protecting historic objects, handling solid waste, and hazardous substances, contingency plans for spills and fuel, use of vehicles, timber and brush cutting, drilling, and road, trail and off-road trail use.

Contact your local Mining Lands District Office for more information on the changes to the Mining Land Use Regulations.

Oil and Gas

1. What types of oil and gas projects are subject to assessment?

   - exploration activities (e.g. seismic program)
   - drilling of wells
   - gas processing plant and other facilities
   - pipeline
   - oil refinery

   Contact the Oil and Gas Management Branch to find out if your oil and gas project is subject to assessment under YESAA.

2. At what level would these projects be assessed?

   Exploration, well drilling and other smaller scale projects would be assessed by the Designated Office. Major projects such as large pipelines, large oil and gas processing plants would be assessed by the Executive Committee of the YESAB.

3. How will YESAA work with the oil and gas rights disposition process?

   The issuance of oil and gas rights is not assessed under YESAA. However, most oil and gas activities do require an assessment under YESAA.

REGULATORY – ASSESSMENT PROCESSES

List of Acronyms

DB	Decision Body
EMR	Energy, Mines and Resources (Department of)
FMB	Forest Management Branch
LARC	Lands Application Review Committee
YESAA	*Yukon Environmental and Socio-economic Assessment Act*
YESAB	Yukon Environmental and Socio-economic Assessment Board
YG	Yukon government

Colour Codes

The colours used in the flowcharts symbolize the following:

Actions undertaken by the proponent

Actions undertaken by government

Actions undertaken by the YESAA assessor

AGRICULTURE – Grazing Lease and Assessment Process

1. After contacting EMR's Agriculture Branch, the proponent fills out and submits an application for a grazing lease.

2. The Agriculture Branch determines whether the activity is subject to an assessment under YESAA. If not, the application goes through EMR's review process.

3. If the activity is subject to assessment, the Agriculture Branch undertakes a technical review of the application for completeness, land availability and grazing capability. If the technical review is acceptable, the Agriculture Branch produces a preliminary Grazing Management Plan and refers the proponent to apply for an assessment to the appropriate Designated Office.

4. The proponent contacts the Designated Office, fills out assessment Form 1 and attaches the grazing lease application package, including the preliminary Grazing Management Plan.

5. The Designated Office conducts the assessment of the project proposal including seeking input from government agencies, First Nations, interested parties and the public. The time from the acceptance of the application by the assessor to the end of the public input period can take up to 30 days or be extended up to 86 days, if required.

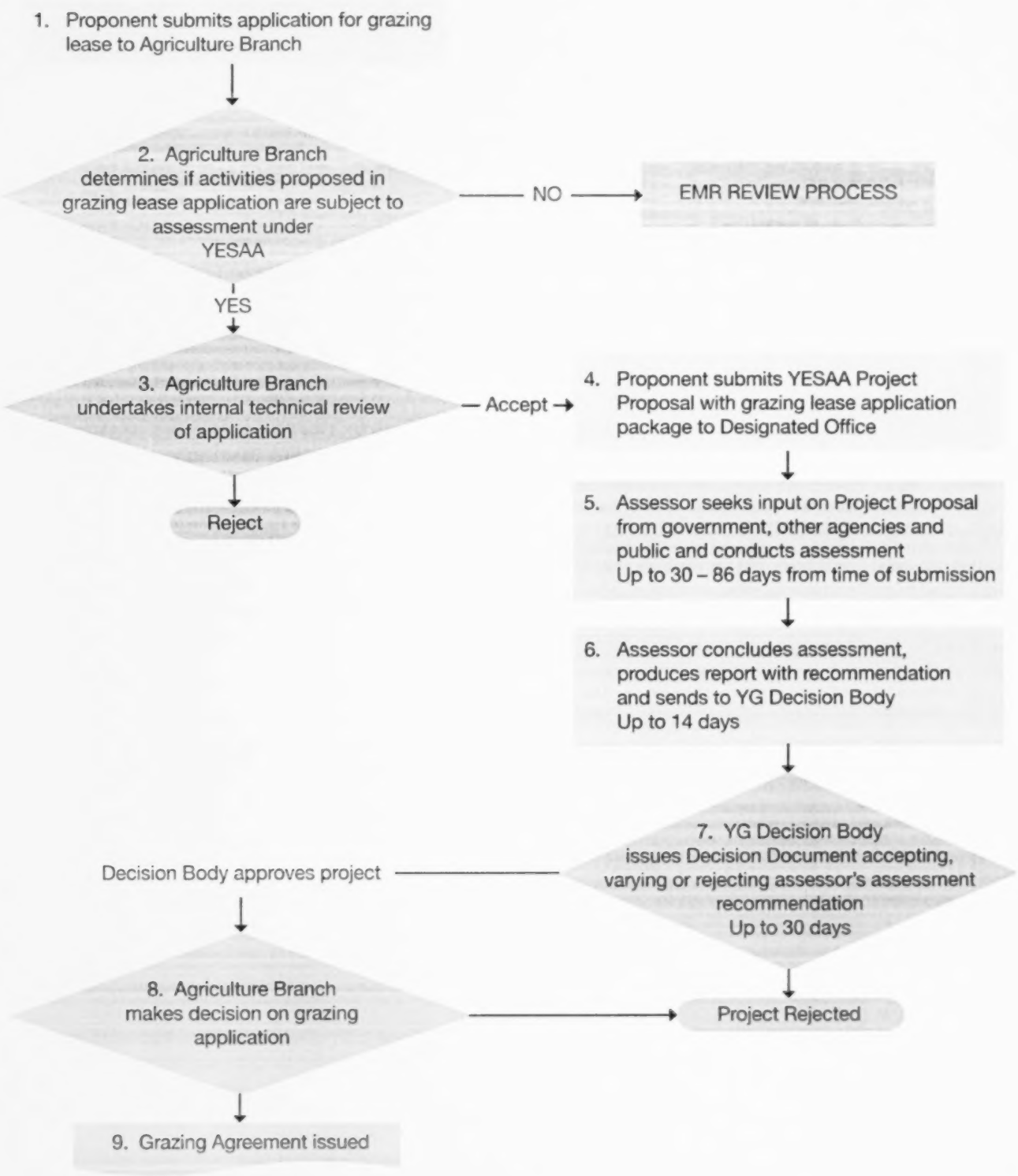
6. The assessor concludes the assessment based on input received and produces an assessment report with the recommendation on whether the project should proceed. This process can take up to 14 days.

7. The Yukon government Decision Body issues a Decision Document accepting, varying or rejecting the assessor's recommendation within 30 days of receiving the recommendation.

8. If the Yukon government Decision Body determines that the project may proceed, the grazing application is approved. If the Decision Body determines that the project may not proceed, the grazing application is rejected and the proponent is notified.

9. If the grazing application is approved, the proponent proceeds to provide a certified survey sketch. If required, the Agriculture Branch revises the preliminary Grazing Management Plan. A Grazing Agreement is then written up and issued with the final Grazing Management Plan. If not accepted, the application is rejected and the proponent is notified.

AGRICULTURE – Grazing Lease and Assessment Process


1. Proponent submits application for grazing lease to Agriculture Branch
2. Agriculture Branch determines if activities proposed in grazing lease application are subject to assessment under YESAA
NO
EMR REVIEW PROCESS
YES
3. Agriculture Branch undertakes internal technical review of application
Accept
4. Proponent submits YESAA Project Proposal with grazing lease application package to Designated Office
Reject
5. Assessor seeks input on Project Proposal from government, other agencies and public and conducts assessment
Up to 30 – 86 days from time of submission
6. Assessor concludes assessment, produces report with recommendation and sends to YG Decision Body
Up to 14 days
7. YG Decision Body issues Decision Document accepting, varying or rejecting assessor's assessment recommendation
Up to 30 days
Decision Body approves project
Project Rejected
8. Agriculture Branch makes decision on grazing application
9. Grazing Agreement issued

AGRICULTURE – Land Application and Assessment Process

1. After contacting EMR's Agriculture Branch, the proponent fills out and submits an application for agricultural land.

2. The Agriculture Branch pre-screens the application for completeness and acceptability. If incomplete, additional information is requested from the proponent. The application may be rejected if deemed unacceptable.

3. The proponent submits a Farm Development Plan to the Agriculture Branch.

4. The Agriculture Branch undertakes a technical review of the application for completeness, land availability and soil capability. The Farm Development Plan is also subject to a technical review. If the review on both documents is acceptable, the Agriculture Branch advises the proponent to apply for assessment to the appropriate Designated Office under the YESAA process. If the review is not acceptable, the application is rejected and the proponent is notified.

5. The proponent contacts the Designated Office, fills out assessment Form 1 and attaches the agricultural land application package (land application and Farm Development Plan).

6. The Designated Office conducts the assessment of the project proposal by seeking input from government agencies, First Nations, interested parties and the public. The time from the acceptance of the application by the assessor to the end of the public input period can take up to 30 days or be extended up to 86 days, if required.

7. The assessor concludes the assessment based on input received and produces an assessment report with the recommendation on whether the project should proceed. This process can take up to 14 days.

8. The Yukon government Decision Body issues a Decision Document accepting, varying or rejecting the assessor's recommendation within 30 days of receiving the recommendation.

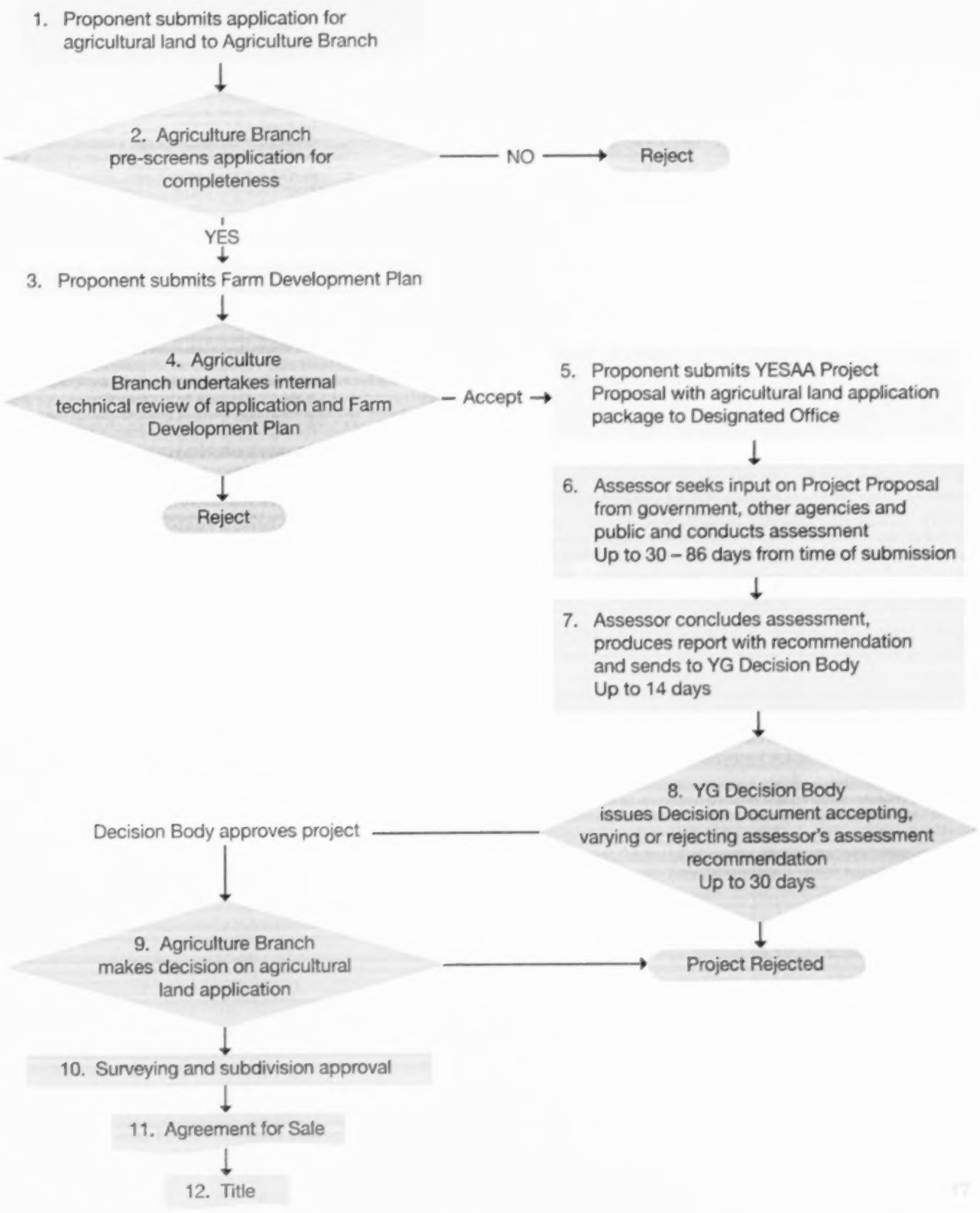
9. If the Yukon government Decision Body determines that the project may proceed, the agricultural land application is accepted. If the Decision Body determines that the project may not proceed, the land application is rejected and the proponent is notified.

10. If the land application is approved, the proponent proceeds to the surveying and subdivision approval process.

11. The proponent and Agriculture Branch set out the farm development specifics and commitments and turn the Farm Development Plan into a Farm Development Agreement. An Agreement for Sale is then drafted and issued.

12. The proponent gets title to the land upon completion of development.

AGRICULTURE – Land Application and Assessment Process


1. Proponent submits application for agricultural land to Agriculture Branch
2. Agriculture Branch pre-screens application for completeness
NO
Reject
YES
3. Proponent submits Farm Development Plan
4. Agriculture Branch undertakes internal technical review of application and Farm Development Plan
Accept
Reject
5. Proponent submits YESAA Project Proposal with agricultural land application package to Designated Office
6. Assessor seeks input on Project Proposal from government, other agencies and public and conducts assessment
Up to 30 – 86 days from time of submission
7. Assessor concludes assessment, produces report with recommendation and sends to YG Decision Body
Up to 14 days
8. YG Decision Body issues Decision Document accepting, varying or rejecting assessor's assessment recommendation
Up to 30 days
Decision Body approves project
9. Agriculture Branch makes decision on agricultural land application
Project Rejected
10. Surveying and subdivision approval
11. Agreement for Sale
12. Title

FORESTRY – Timber Permits and Assessment Process

(For timber harvesting > 1000m^3 and < 20,000 m^3)

1. After contacting EMR's Forest Management Branch, the proponent fills out and submits an application for a timber permit.

2. The Forest Management Branch reviews the timber permit application.

3. The Forest Management Branch determines whether the proposed timber harvesting falls under a Forest Development Project. If so, the Forest Management Branch determines whether the Forest Development Project has been assessed under YESAA. Once deemed complete, the Forest Management Branch accepts the application. If the proposed timber harvesting does not fall under a Forest Development Project, proceed to step 5.

4. If the Forest Development Project has been assessed under YESAA, the Forest Management Branch determines whether the timber harvest proposal is subject to assessment under YESAA. If not, the permit may proceed to an internal regulatory review and to step 9. If the timber harvest proposal is subject to an assessment under YESAA, the Forest Management Branch refers the proponent to the appropriate Designated Office.

5. The proponent contacts the Designated Office, fills out assessment Form 1 and attaches the timber permit application.

6. The Designated Office conducts the assessment of the project proposal by seeking input from government agencies, First Nations, interested parties and the public. The time from the acceptance of the application by the assessor to the end of the public input period can take up to 30 days or be extended up to 86 days, if required.

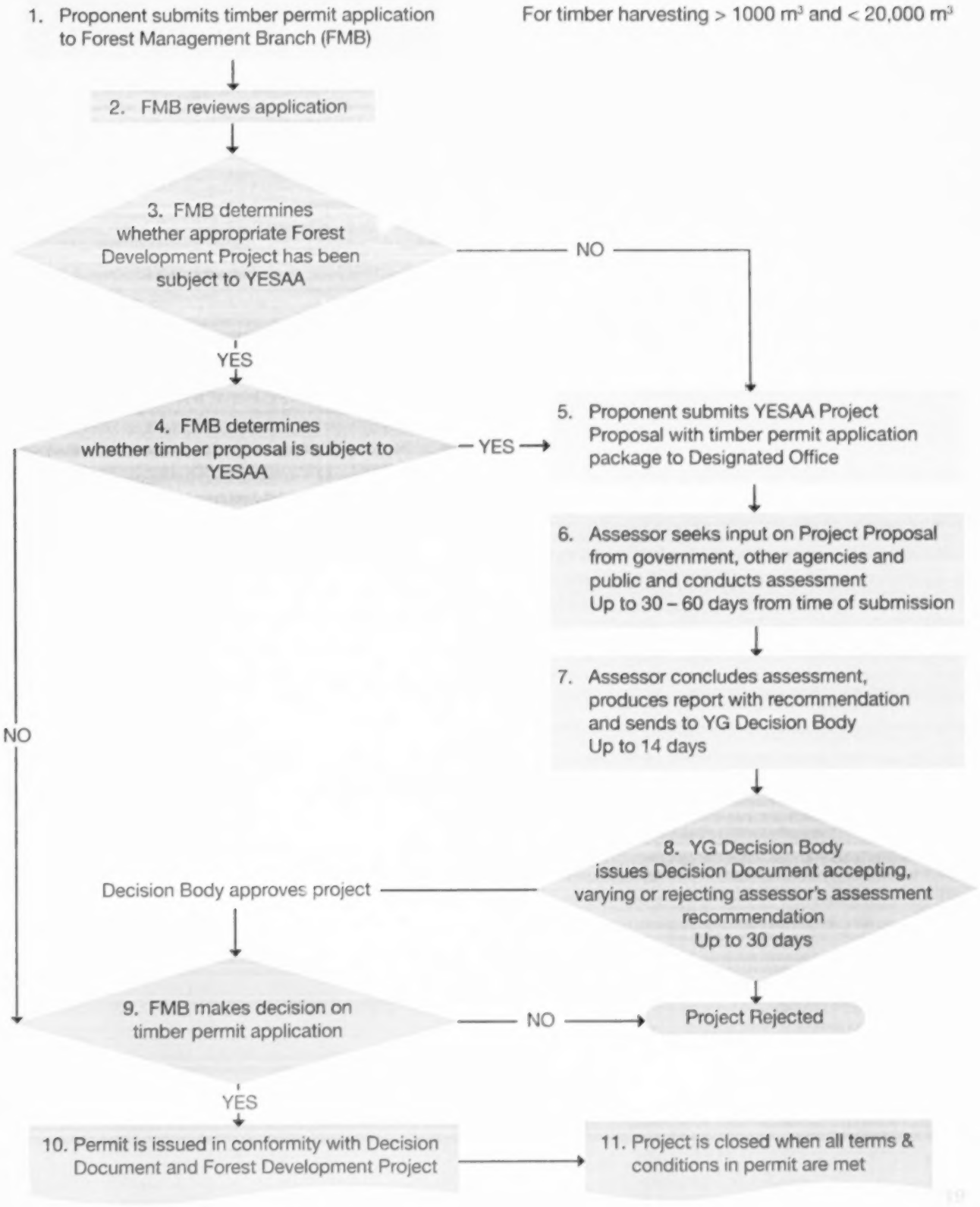
7. The assessor concludes the assessment based on input received and produces an assessment report with the recommendation on whether the project should proceed. This process can take up to 14 days.

8. The Yukon government Decision Body issues a Decision Document accepting, varying or rejecting the assessor's recommendation within 30 days of receiving the recommendation.

9/10. If the Yukon government Decision Body determines that the project may proceed, the timber permit is issued in conformity with the Decision Document and the Forest Development Project. If the Decision Body determines that the project may not proceed, the application is rejected and the proponent is notified.

11. The project is closed when all terms and conditions in the permit are met.

FORESTRY – Timber Permits and Assessment Process


1. Proponent submits timber permit application to Forest Management Branch (FMB)
For timber harvesting > 1000 m³ and < 20,000 m³
2. FMB reviews application
3. FMB determines whether appropriate Forest Development Project has been subject to YESAA
NO
YES
4. FMB determines whether timber proposal is subject to YESAA
YES
5. Proponent submits YESAA Project Proposal with timber permit application package to Designated Office
6. Assessor seeks input on Project Proposal from government, other agencies and public and conducts assessment
Up to 30 – 60 days from time of submission
7. Assessor concludes assessment, produces report with recommendation and sends to YG Decision Body
Up to 14 days
NO
8. YG Decision Body issues Decision Document accepting, varying or rejecting assessor's assessment recommendation
Up to 30 days
Decision Body approves project
9. FMB makes decision on timber permit application
NO
Project Rejected
YES
10. Permit is issued in conformity with Decision Document and Forest Development Project
11. Project is closed when all terms & conditions in permit are met

LANDS – Land Disposition and Assessment Process

1. The proponent contacts EMR's Lands Branch regarding land availability, fills out and submits an application for land with the required fee.

2. The Lands Branch pre-screens the application for completeness and acceptability. If incomplete, additional information is requested from the proponent. The application may be rejected if deemed unacceptable (e.g. applying for land that is within a park).

3. The Lands Branch determines whether the activity is subject to an assessment under YESAA. If not, the application goes through EMR's review process.

4. The proponent contacts the Designated Office, fills out assessment Form 1 and attaches the land application.

5. The Designated Office conducts the assessment of the project proposal by seeking input from government agencies, First Nations, interested parties and the public. The time from the acceptance of the application by the assessor to the end of the public input period can take up to 30 days or be extended up to 86 days, if required.

6. The assessor concludes the assessment based on input received and produces an assessment report with the recommendation on whether the project should proceed. This process can take up to 14 days.

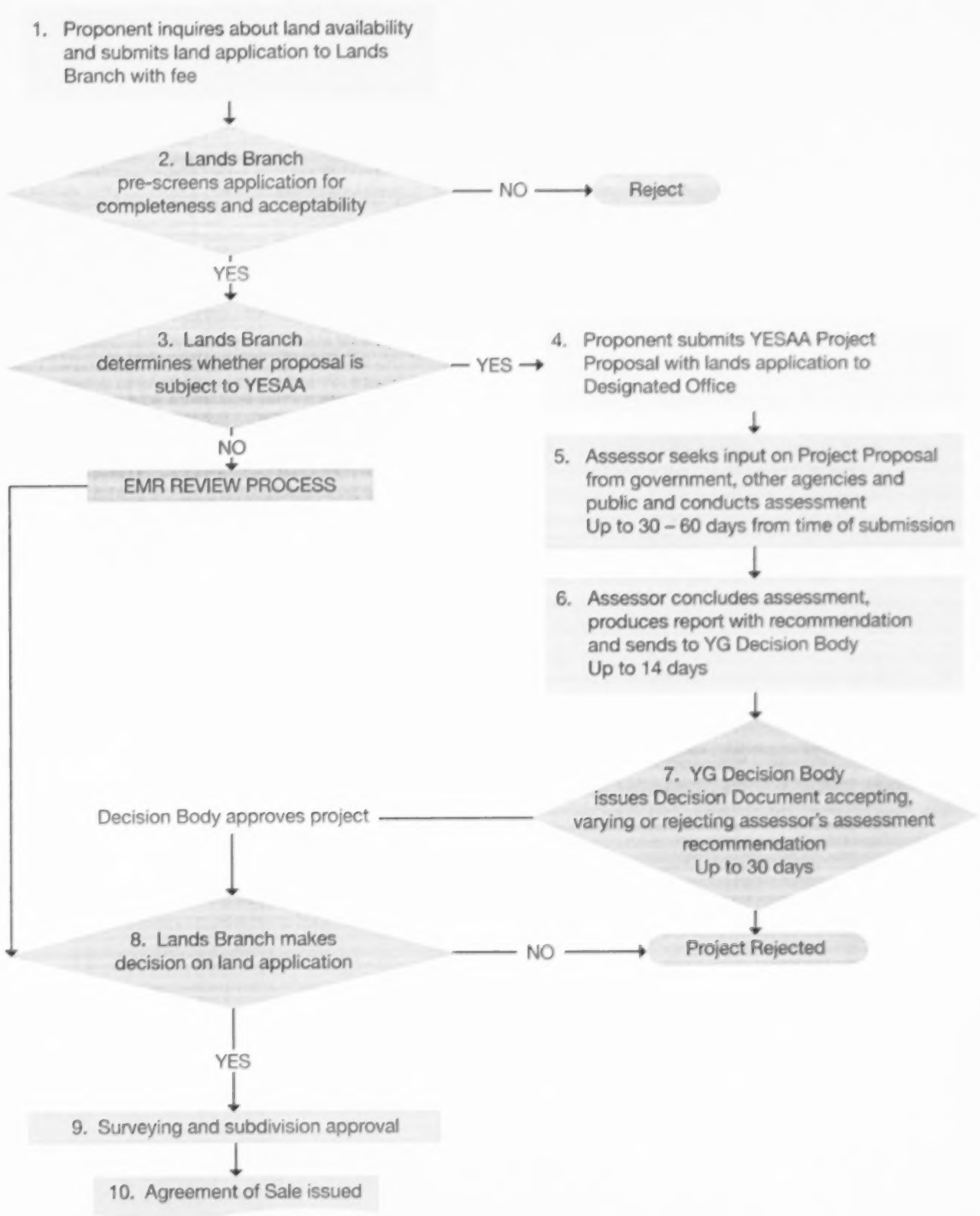
7. The Yukon government Decision Body issues a Decision Document accepting, varying or rejecting the assessor's recommendation within 30 days of receiving the recommendation.

8. If the Yukon government Decision Body determines that the project may proceed, the land application is approved. If the Decision Body determines that the project may not proceed, the land application is rejected and the proponent is notified.

9. If the land application is approved, the proponent proceeds to the surveying and subdivision approval process.

10. The Agreement of Sale is drafted and issued.

LANDS – Land Disposition and Assessment Process


1. Proponent inquires about land availability and submits land application to Lands Branch with fee
2. Lands Branch pre-screens application for completeness and acceptability
NO
Reject
YES
3. Lands Branch determines whether proposal is subject to YESAA
YES
4. Proponent submits YESAA Project Proposal with lands application to Designated Office
NO
EMR REVIEW PROCESS
5. Assessor seeks input on Project Proposal from government, other agencies and public and conducts assessment
Up to 30 – 60 days from time of submission
6. Assessor concludes assessment, produces report with recommendation and sends to YG Decision Body
Up to 14 days
7. YG Decision Body issues Decision Document accepting, varying or rejecting assessor's assessment recommendation
Up to 30 days
Decision Body approves project
Project Rejected
8. Lands Branch makes decision on land application
NO
YES
9. Surveying and subdivision approval
10. Agreement of Sale issued

LANDS – Land Use Permitting and Assessment Process

1. The proponent contacts EMR's Lands Branch regarding land availability, fills out and submits an application for a land use permit with required fee and maps.

2. The Lands Branch pre-screens the application which is accepted and signed by the Engineer, Land Use.

3. The proponent contacts the Designated Office, fills out assessment Form 1 and attaches the land use permit application.

4. The Designated Office conducts the assessment of the project proposal by seeking input from government agencies, First Nations, interested parties and the public. The time from the acceptance of the application by the assessor to the end of the public input period can take up to 30 days or be extended up to 86 days, if required.

5. The assessor concludes the assessment based on input received and produces an assessment report with the recommendation on whether the project should proceed. This process can take up to 14 days.

6. The Yukon government Decision Body issues a Decision Document accepting, varying or rejecting the assessor's recommendation within 30 days of receiving the recommendation.

7. If the Yukon government Decision Body determines that the project may proceed, the land use permit application is approved. If the Decision Body determines that the project may not proceed, the land use permit application is rejected and the proponent is notified.

8. If the land use permit application is approved, the permit is issued in conformity with the Decision Document.

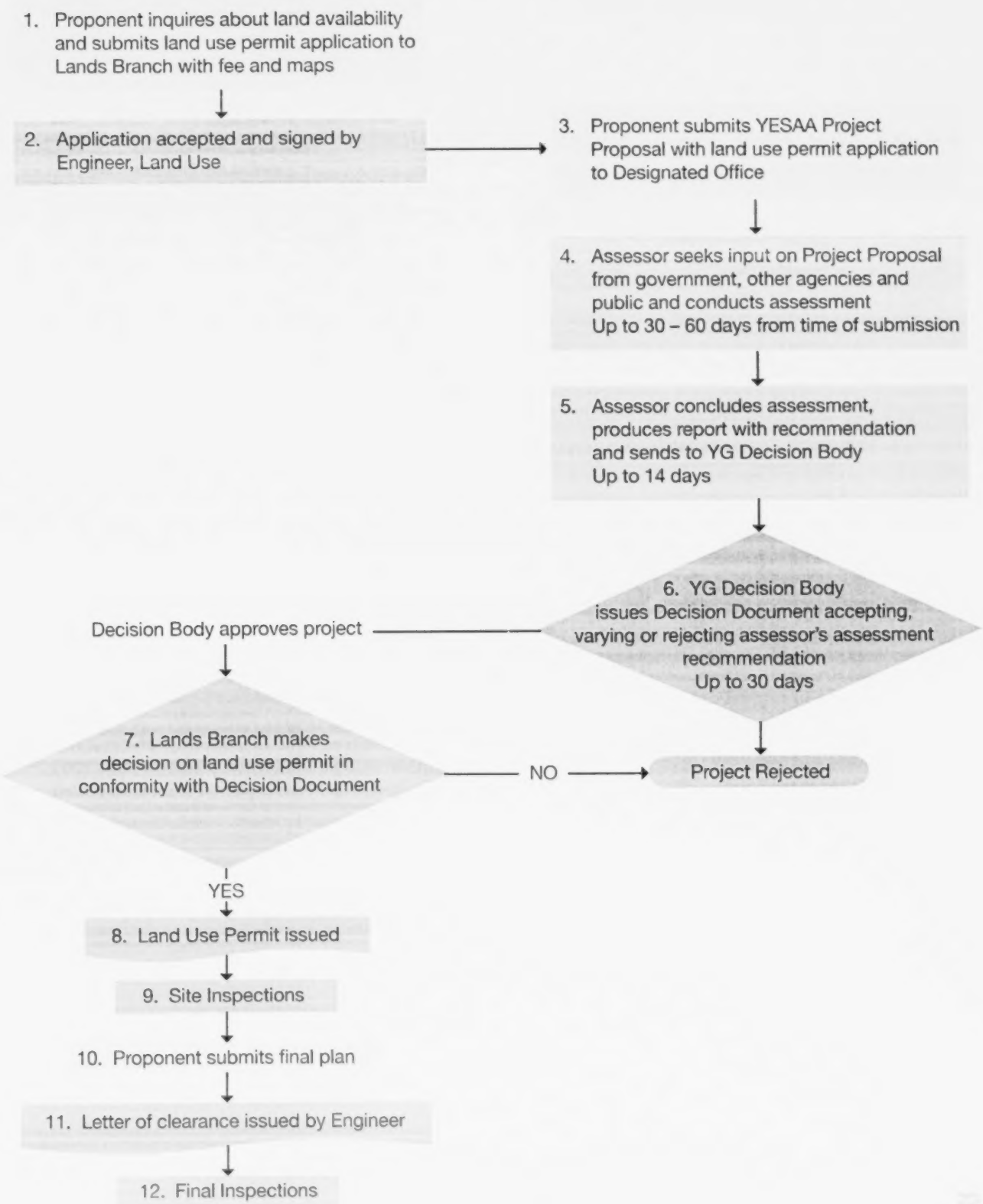
9. EMR's Client Services and Inspections Branch conducts a site inspection.

10. The proponent submits a final plan.

11. The Engineer of Land Use issues a Letter of Clearance.

12. The Client Services and Inspections Branch carries out final inspections.

LANDS – Land Use Permitting and Assessment Process


1. Proponent inquires about land availability and submits land use permit application to Lands Branch with fee and maps
2. Application accepted and signed by Engineer, Land Use
3. Proponent submits YESAA Project Proposal with land use permit application to Designated Office
4. Assessor seeks input on Project Proposal from government, other agencies and public and conducts assessment
Up to 30 – 60 days from time of submission
5. Assessor concludes assessment, produces report with recommendation and sends to YG Decision Body
Up to 14 days
6. YG Decision Body issues Decision Document accepting, varying or rejecting assessor's assessment recommendation
Up to 30 days
Decision Body approves project
Project Rejected
7. Lands Branch makes decision on land use permit in conformity with Decision Document
NO
YES
8. Land Use Permit issued
9. Site Inspections
10. Proponent submits final plan
11. Letter of clearance issued by Engineer
12. Final Inspections

MINERALS – Class 2 Notification and Assessment Process

1. The proponent contacts the Designated Office and fills out assessment Form 1.

2. The Designated Office conducts the assessment of the project proposal by seeking input from government agencies, First Nations, interested parties and the public. The time from the acceptance of the application by the assessor to the end of the public input period can take up to 30 days or be extended up to 86 days, if required.

3. The assessor concludes the assessment based on input received and produces an assessment report with the recommendation on whether the project should proceed. This process can take up to 14 days.

4. The Yukon government Decision Body issues a Decision Document accepting, varying or rejecting the assessor's recommendation within 30 days of receiving the recommendation.

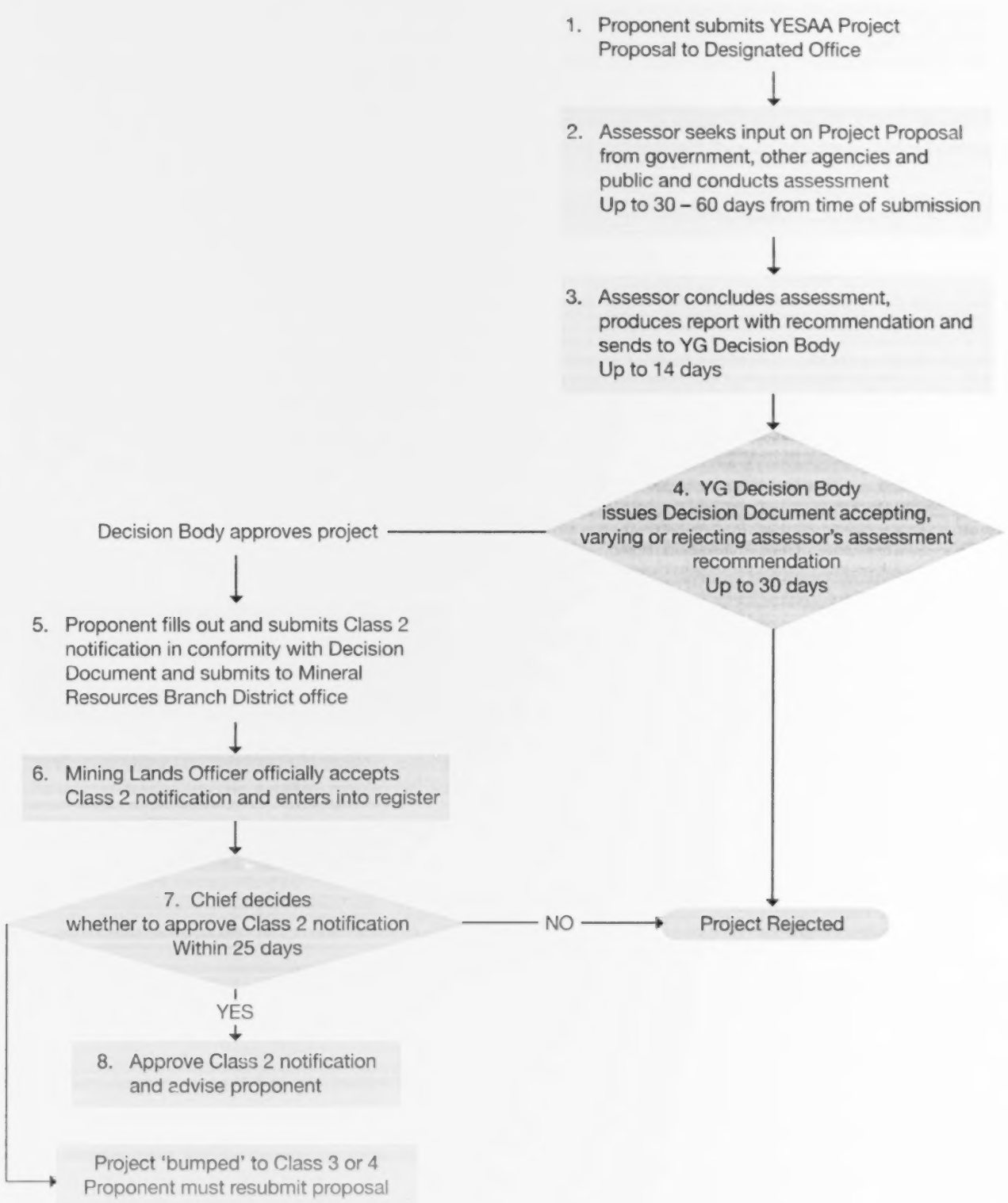
5. If the Yukon government Decision Body determines that the project may proceed, the proponent receives the Decision Document and fills out a Class 2 notification form in conformity with the Decision Document and submits it to the appropriate Mining Lands district office of EMR. If the Decision Body determines that the project may not proceed, the project is rejected and the proponent is notified.

6. The Mining Lands Officer officially accepts the Class 2 notification and enters key information into the register.

7. Within 25 days, the Chief of Mining Lands makes a decision on whether to approve the Class 2 notification or whether to redirect it to a Class 3 or 4 category. If rejected, the proponent is notified. If the project is redirected to a Class 3 or 4 category, the proponent must resubmit the proposal.

8. If the Class 2 notification is approved, the proponent is notified and can proceed with the Class 2 exploration program.

MINERALS – Class 2 Notification and Assessment Process


1. Proponent submits YESAA Project Proposal to Designated Office
2. Assessor seeks input on Project Proposal from government, other agencies and public and conducts assessment
Up to 30 – 60 days from time of submission
3. Assessor concludes assessment, produces report with recommendation and sends to YG Decision Body
Up to 14 days
4. YG Decision Body issues Decision Document accepting, varying or rejecting assessor's assessment recommendation
Up to 30 days
Decision Body approves project
5. Proponent fills out and submits Class 2 notification in conformity with Decision Document and submits to Mineral Resources Branch District office
6. Mining Lands Officer officially accepts Class 2 notification and enters into register
7. Chief decides whether to approve Class 2 notification
Within 25 days
NO
Project Rejected
YES
8. Approve Class 2 notification and advise proponent
Project 'bumped' to Class 3 or 4
Proponent must resubmit proposal

MINERALS – Class 3 or 4[1] Mining Land Use Permitting and Assessment Process

1. After contacting the appropriate EMR's Mining Lands district office, the proponent fills out and submits a draft application for a Class 3 or 4 Operating Plan.

2. The proponent contacts the YESAA Designated Office, fills out assessment Form 1 and includes the application for a Class 3 or 4 Operating Plan.

3. The Designated Office conducts the assessment of the project proposal by seeking input from government agencies, First Nations, interested parties and the public. The time from the acceptance of the application by the assessor to the end of the public input period can take up to 30 days or be extended up to 86 days, as required.

4. The assessor concludes the assessment based on input received and produces an assessment report with the recommendation on whether the project should proceed. This process can take up to 14 days.

5. The Yukon government Decision Body issues a Decision Document accepting, varying or rejecting the assessor's recommendation within 30 days of receiving the recommendation.

6. If the Yukon government Decision Body determines that the project may proceed, the Mining Lands Officer reviews the application for a Class 3 or 4 Operating Plan to ensure it is complete. If complete, the Mining Lands Officer officially accepts the application with required fees and enters it into the register. If the Decision Body determines that the project may not proceed, the project is rejected and the proponent is notified.

7. Within 25 days, the Mining Lands Officer reviews the application and the Chief of Mining Lands determines whether to approve the Operating Plan, whether to require public notice or whether to extend the timeline by up to an additional 42 days. If the Chief decides to approve or reject the Operating Plan, proceed to Step 10.

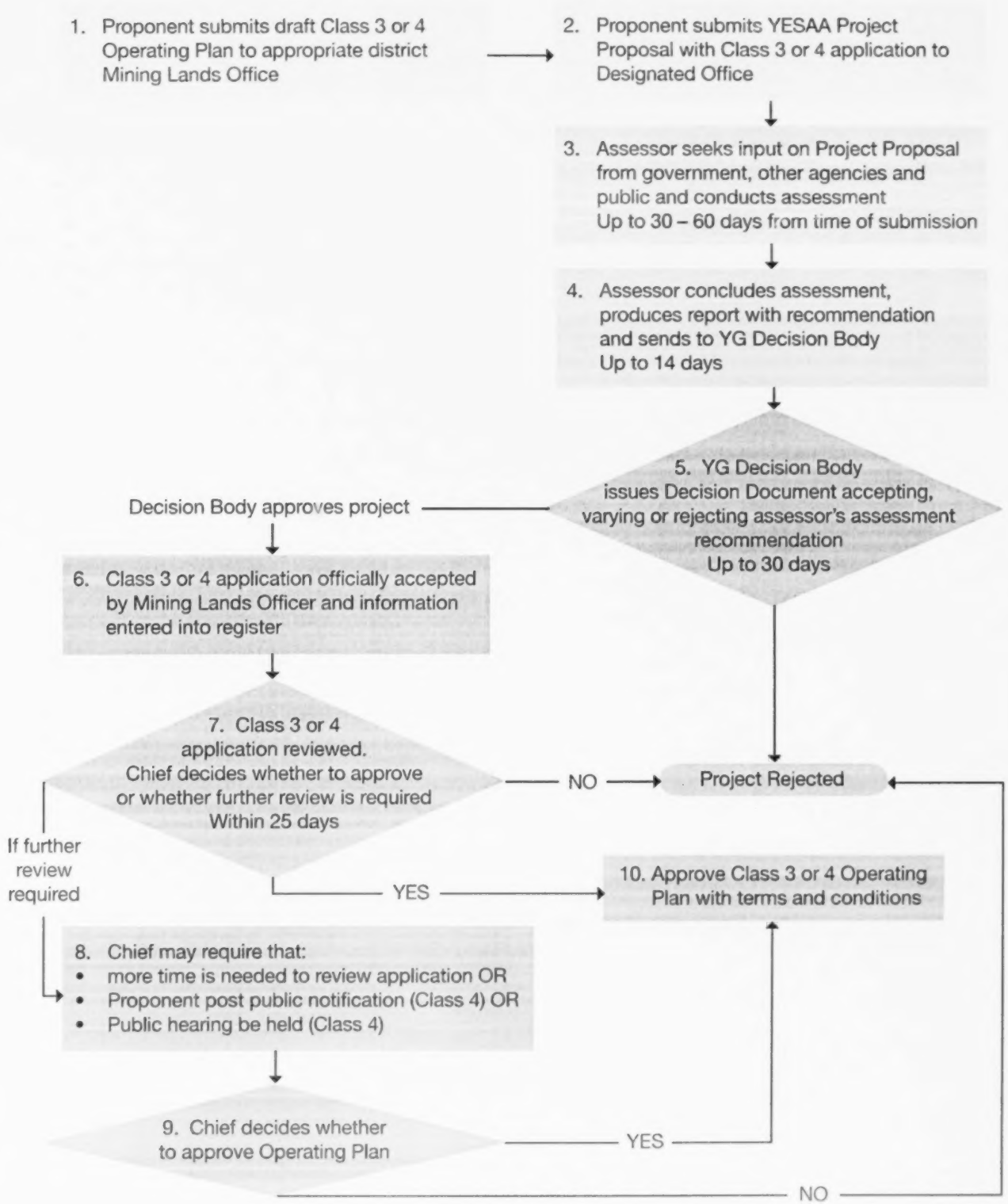
8. If the Chief of Mining Lands requires public notice, the proponent posts public notification followed by a 25 day public input period. The Chief may also require that a public hearing be held. In addition, the Chief may determine that more time is required to review the Operating Plan.

9. The Chief of Mining Lands decides whether to approve the Operating Plan.

10. If the Operating Plan is approved, the approval is issued with terms and conditions which conform to the Decision Document. If the Operating Plan is rejected, the proponent is notified.

[1] This process only applies to Class 4 Quartz activities as Class 4 Placer activities are regulated by the Yukon Water Board.

MINERALS – Class 3 or 4 Mining Land Use Permitting and Assessment Process


1. Proponent submits draft Class 3 or 4 Operating Plan to appropriate district Mining Lands Office
2. Proponent submits YESAA Project Proposal with Class 3 or 4 application to Designated Office
3. Assessor seeks input on Project Proposal from government, other agencies and public and conducts assessment
Up to 30 – 60 days from time of submission
4. Assessor concludes assessment, produces report with recommendation and sends to YG Decision Body
Up to 14 days
5. YG Decision Body issues Decision Document accepting, varying or rejecting assessor's assessment recommendation
Up to 30 days
Decision Body approves project
6. Class 3 or 4 application officially accepted by Mining Lands Officer and information entered into register
7. Class 3 or 4 application reviewed. Chief decides whether to approve or whether further review is required
Within 25 days
NO
Project Rejected
If further review required
YES
10. Approve Class 3 or 4 Operating Plan with terms and conditions
8. Chief may require that:
• more time is needed to review application OR
• Proponent post public notification (Class 4) OR
• Public hearing be held (Class 4)
9. Chief decides whether to approve Operating Plan
YES
NO

OIL AND GAS – Licensing and Assessment Process

1. The proponent contacts EMR's Oil and Gas Management Branch to discuss regulatory requirements.

2. The Oil and Gas Management Branch determines whether the proposed activity is subject to assessment under YESAA. If the activity is subject to assessment, proceed to step 3; if not, proceed to step 4.

3. The proponent consults with affected First Nation(s), regulators and stakeholders to identify issues that should be addressed in the project proposal.

4. The proponent submits the required oil and gas license application to the Oil and Gas Management Branch. The proponent contacts the Designated Office and fills out assessment Form 1.

5. The Designated Office conducts the assessment of the project proposal by seeking input from government agencies, First Nations, interested parties and the public. The time from the acceptance of the application by the assessor to the end of the public input period can take 30 days or be extended up to 86 days if required. Concurrently, the Oil and Gas Management Branch undertakes a regulatory review of the licence application.

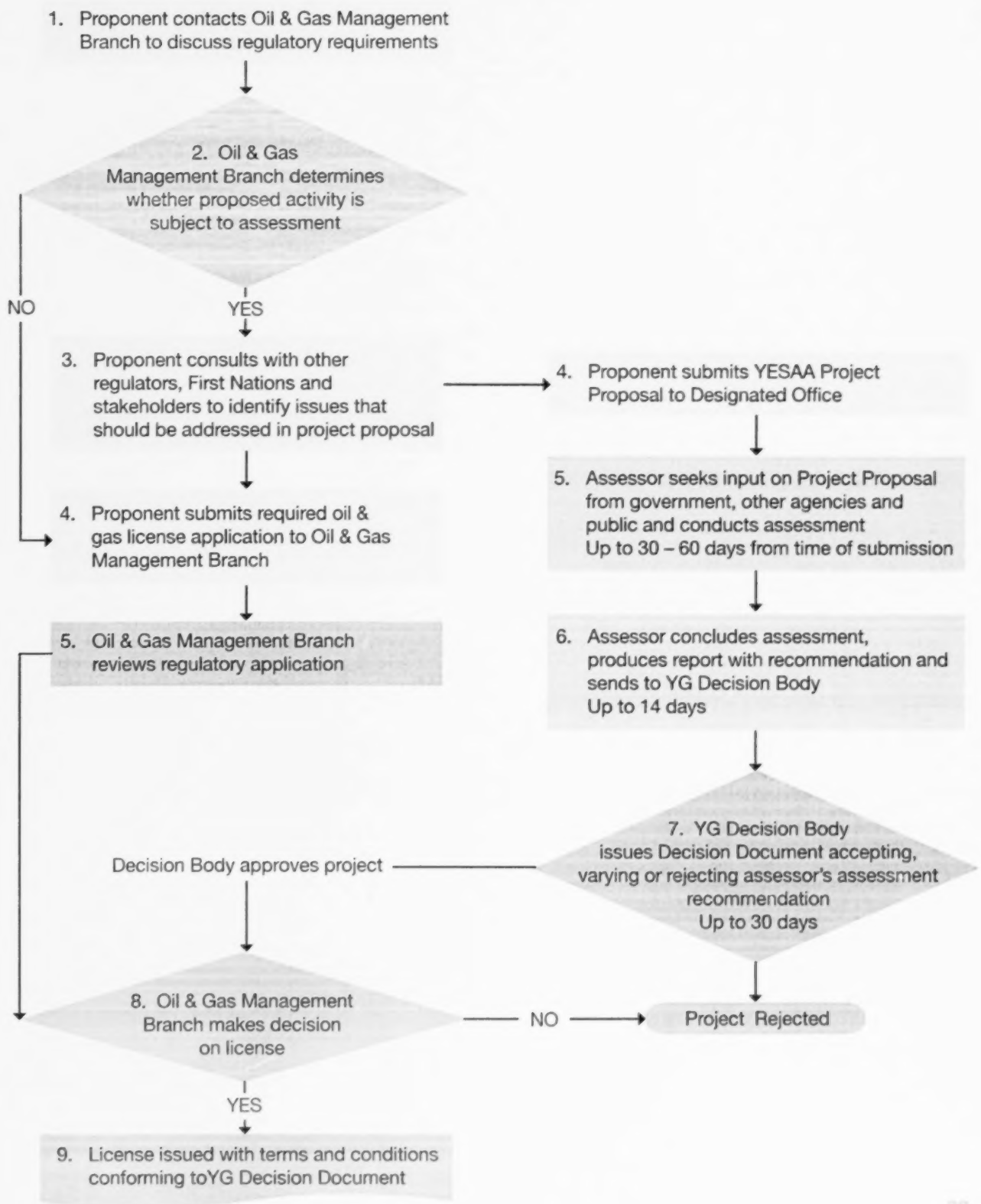
6. The assessor concludes the assessment based on input received and produces an assessment report with the recommendation on whether project should proceed. This process can take up to 14 days.

7. The Yukon government Decision Body issues a Decision Document accepting, varying or rejecting the assessor's recommendation within 30 days of receiving the recommendation.

8. If the Yukon government Decision Body determines that the project may proceed, the license application is approved. If the Decision Body determines that the project may not proceed, the license application is rejected and the proponent is notified.

9. If the license application is approved, the license is issued in conformity with the Decision Document.

OIL AND GAS – Licensing and Assessment Process


1. Proponent contacts Oil & Gas Management Branch to discuss regulatory requirements
2. Oil & Gas Management Branch determines whether proposed activity is subject to assessment
NO
YES
3. Proponent consults with other regulators, First Nations and stakeholders to identify issues that should be addressed in project proposal
4. Proponent submits YESAA Project Proposal to Designated Office
5. Assessor seeks input on Project Proposal from government, other agencies and public and conducts assessment
Up to 30 – 60 days from time of submission
6. Assessor concludes assessment, produces report with recommendation and sends to YG Decision Body
Up to 14 days
7. YG Decision Body issues Decision Document accepting, varying or rejecting assessor's assessment recommendation
Up to 30 days
Decision Body approves project
4. Proponent submits required oil & gas license application to Oil & Gas Management Branch
5. Oil & Gas Management Branch reviews regulatory application
8. Oil & Gas Management Branch makes decision on license
NO
Project Rejected
YES
9. License issued with terms and conditions conforming toYG Decision Document

CONTACTS

YUKON GOVERNMENT CONTACTS

EMR Branch	Telephone #	E-mail	Website
Agriculture:	(867) 667-5838	agriculture@gov.yk.ca	www.emr.gov.yk.ca/agriculture
Forestry:	(867) 456-3999	forestry@gov.yk.ca	www.emr.gov.yk.ca/forestry
Lands:	(867) 667-5215	land.disposition@gov.yk.ca land.use@gov.yk.ca	www.emr.gov.yk.ca/lands
Minerals:	(867) 667-3107	mining@gov.yk.ca	www.emr.gov.yk.ca/mining
Oil and Gas:	(867) 667-3427	oilandgas@gov.yk.ca	www.emr.gov.yk.ca/oilandgas

For general information on the development assessment process:

Yukon Government
Executive Council Office
Development Assessment Process (DAP) Branch
310 – 300 Main St.
Elijah Smith Building
Whitehorse, Yukon
Tel: (867) 456-3818
Fax: (867) 667-3216
E-mail: dapinfo@gov.yk.ca
Website: www.gov.yk.ca/depts/eco/dap

YESAA CONTACTS

Yukon Environmental and Socio-economic Assessment Board (YESAB)

Street Address: 3059 – 3rd Avenue, Whitehorse, Yukon

Mailing Address: P.O. Box 31642, Whitehorse, Yukon Y1A 6L2

Tel: (867) 668-6420
Toll free: 1-866-322-4040
Fax: (867) 668-6425
E-mail: yesab@yesab.ca
Website: www.yesab.ca

Designated Offices

Dawson City Designated Office

Located at 705 Church Street

Mailing Address:
P.O. Box 6050, Dawson City, Yukon Y0B 1G0

Tel: 867-993-4040
Fax: 867-993-4049

Project Assessment Officer – Steve Caram

Haines Junction Designated Office

Located at the Haines Junction airport,
Sifton Air building

Mailing Address:
P.O. Box 2126, Haines Junction, Yukon Y0B 1L0

Tel: 867-634-4040
Fax: 867-634-4049

Project Assessment Officer – Richard Cherepak

Mayo Designated Office

Located on Front Street

Mailing Address:
P.O. Box 297, Mayo, Yukon Y0B 1M0

Tel: 867-996-4040
Fax: 867-996-4049

Project Assessment Officer – Loralee Johnstone

Teslin Designated Office

Located on McLeery Street

Mailing Address:
P.O. Box 137, Teslin, Yukon Y0A 1B0

Tel: 867-390-4040
Fax: 867-390-4049

Project Assessment Officer – Connie Jules

Watson Lake Designated Office

Located at 820 Adela Trail

Mailing Address:
PO Box 294, Watson Lake, Yukon Y0A 1C0

Tel: 867-536-4040
Fax: 867-536-4049

Project Assessment Officer – Aliesha Narain

Whitehorse Designated Office

Located at 7209B – 7th Avenue

Mailing Address:
7209B – 7th Avenue, Whitehorse, Yukon Y1A 1R4

Tel: 867-456-3200
Fax: 867-456-3209

Project Assessment Officer – Keith Maguire

KEY YESAA REFERENCES

Note: The following references are available on the YESAA website

Legislation

- *Yukon Environmental and Socio-economic Assessment Act*
- *Assessable Activities, Exceptions and Executive Committee Projects Regulations*
- *Decision Body Time Periods and Consultation Regulations*

Rules

- Rules for Evaluations Conducted by Designated Offices
- Rules for Screenings Conducted by the Executive Committee
- Rules of Practice and Procedure for Panels of the Yukon Environmental and Socio-economic Assessment Board Conducting Reviews of the Environmental and Socio-economic Effects of Projects (under review)

Guidebooks

- Proponent's Guide to Project Proposal Submission to a Designated Office
- Information Requirements for Executive Committee Project Proposal Submissions under the YESAA (available by contacting the YESAB office)

Key Information Websites

- YESAB website: www.yesab.ca
- YESAB Online Registry: www.yesab.ca/registry
- YG website on YESAA: www.gov.yk.ca/depts/eco/dap
- EMR website: www.emr.gov.yk.ca
- Access to other YG Departments: www.gov.yk.ca

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